

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN  
GREEN BAY DIVISION

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COMMUNITY FIRST CREDIT UNION,

Plaintiff,

v.

Case No. 08-C-0057

THE UNITED STATES OF AMERICA,

Defendant.

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**ORDER**

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The parties have submitted a Stipulated Protective Order for the court's signature in the above matter. Although the court has signed the order, it does have some concern over paragraph sixteen.

Paragraph sixteen requires that, within thirty days of the conclusion of the case, "all material not received in evidence, used during Motion practice, and which was designated 'CONFIDENTIAL' under this Protective Order must be returned to the originating party, or certified to have been destroyed or redacted from the portion of such documents which are not Confidential." To the extent that the order governs only the conduct of the parties, the court has no problem. However, to the extent that the order is intended to require return or disposal of materials filed in the record in this case and upon which the court has relied for rendering its decisions, it is inconsistent with the general requirement that proceedings in federal courts are open to the public. *See Union Oil Co. of California v. Leavell*, 220 F.3d 562, 567-568 (7th Cir. 2000). The parties

should therefore use caution in submitting what they regard as confidential material to the court. They are further advised that their own designation of materials as confidential may not control once those materials have been filed with the court.

With this caveat, the Stipulated Protective Order will be entered by the court.

Dated this 5th day of June, 2008.

s/ William C. Griesbach

William C. Griesbach  
U.S. District Court Judge